

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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RICHARD E. O'BRINGER, PA-C PROF
CORP.,

Case No. 2:18-CV-1836 JCM (NJK)

ORDER

Plaintiff(s),

V.

AETNA BETTER HEALTH OF NEVADA INC.

Defendant(s).

Presently before the court is the matter *Richard E. O'Bringer, PA-C, Prof. Corp. v. Aetna Better Health of Nevada, Inc.*, case number 2:18-cv-01836-JCM-NJK.

On September 28, 2018, defendant Aetna Better Health of Nevada filed a motion to dismiss. (ECF No. 6). Plaintiff Richard E. O'Bringer, PA-C, Prof. Corp. has not filed a response and the time to do so has passed.

Pursuant to LR 7-2(d), “[t]he failure of an opposing party to file points and authorities in response to any motion, except a motion under Fed. R. Civ. P. 56 or a motion for attorney’s fees, constitutes a consent to the granting of the motion.” Thus, because plaintiff did not file a response, the court will grant defendant’s motion to dismiss.

Accordingly,

IT IS HEREBY ORDERED, ADJUDGED, and DECREED that defendant's motion to dismiss (ECF No. 6) be, and the same hereby is, GRANTED without prejudice.

The clerk shall enter judgment accordingly and close the case.

DATED December 6, 2018.

Jens C. Mahan
UNITED STATES DISTRICT JUDGE